

HISTORIC LANDMARK COMMISSION STAFF REPORT



Planning and Zoning Division
Department of Community and
Economic Development

Larson Fence Replacement Minor Alteration PLNHLC2010-00567 391 North Wall Street December 1, 2010

Applicant: Shane Larson

Staff: Maryann Pickering
(801) 535-7660
maryann.pickering@slcgov.com

Tax ID: 08-36-285-009

Current Zone: SR-1A
(Special Development Pattern
Residential District)

Master Plan Designation:
Low Density Residential 5-15
du/acre

Council District: District 3 –
Stan Penfold

Lot Size: Approximately 6,970
square feet

Current Use: Residential

**Applicable Land Use
Regulations:**

- 21A.34.020(G)

Notification

- Notice mailed on 11/23/10
- Sign posted on 11/23/10
- Agenda posted on the Planning
Division and Utah Public
Meeting Notice websites
11/23/10

Attachments:

- A. Site Plan and Elevations
- B. Photographs
- C. Additional Applicant
Information
- D. Historic Documentation

Request

The applicant is seeking to retroactively permit or ‘legalize’ a portion of the fence already installed without the appropriate approval or permit and to continue building the fence along the property line located at the above referenced address in the Capitol Hill Historic District.

Staff Recommendation

Based on the findings listed in the staff report, it is Planning Staff’s opinion that the request does not meet the applicable standards and therefore, recommends that the Historic Landmark Commission deny the petition. Denial of this request shall require that the applicant or property owner remove the fence structure in its entirety and complete the work in a timeframe as stipulated by Zoning Enforcement, and understand that any replacement fence shall require administrative Historic Landmark Commission approval prior to the issuance of a building permit.

VICINITY MAP



Background

Project Description

This is a request to retroactively permit or ‘legalize’ a portion of the fence already installed without the appropriate approval or permit and to continue building the fence along the property line located at the above referenced address in the Capitol Hill Historic District. The home on the subject property is a structure that is contributing to the historic district (due to age and structural integrity). Any exterior modifications on the subject home or property are subject to Historic Landmark Commission review.

The subject fence is made of unfinished steel and the design is based on the traditional horizontal woven wood pattern. Planning staff acknowledges that steel material may have been approved in the past as a fencing material within the historic districts, but the appearance of the steel would have been more along the lines of looking similar to wrought iron. Staff is not aware of unfinished steel of this size or design being approved in any historic district. This new fence replaced a broken and worn out fence that was

wood. A portion of this wood fence does remain on the property. The applicant also desires to replace the older wood fence with the newer unfinished steel fencing.

Attached is a site plan showing the location of the new fence (Exhibit A) with the location of the fence shown with the yellow highlighted line. As can be seen from this line, a portion of the fence is located within the city right-of-way. This fence has been in this location for some time and the applicant has received a residential revocable permit from the city in order to have the fence in this location. Also included with Exhibit A are some elevation drawings of the fence structure.

The applicant has provided photographs of the new fence and the older wood fence for reference. These are attached as Exhibit B. A narrative from the applicant describing the project is included as Exhibit C. Staff has included the historic documentation of the property from the most recent reconnaissance survey completed for the Capitol Hill District. As noted on this survey, the property is categorized as “B” which indicates it is a contributory structure.

Comments

Public Comments

No public comment regarding this application was received as of the date of the preparation and distribution of this staff report.

Analysis and Findings

Options

- Approval: If the Commission finds that the proposed project meets the standards of the ordinance, the application should be approved provided the structure conforms to the requirements of the International Building Code and all other applicable City ordinances. This option would require the Commission to state alternative findings to support the motion to approve the fence.
- Denial: If the Commission finds that the proposed project does not meet the standards of the ordinance the application should be denied.
- Continuation: If the Commission finds that additional information is needed to make a decision, then a final decision may be postponed with specific direction to the applicant or Planning Staff regarding the additional information required for the Commission to take further action.

Findings

The standards of review for a special exception are set forth in Section 21A.34.020 of the Salt Lake City Zoning Ordinance. The standards are as follows:

- G. Standards for Certificate of Appropriateness for Altering of a Landmark Site or Contributing Structure: In considering an application for a Certificate of Appropriateness for alteration of a landmark site or contributing structure, the Historic Landmark Commission shall find that the project substantially complies with all of the general standards that permit to the application and that the decision is in the best interest of the City.

Of the standards outlined in this section of the Zoning Ordinance, it is standard number twelve (12) that pertains specifically to the subject request for the fence. Standard 12 refers to additional design standards adopted by the Historic Landmark Commission and City Council. Planning Staff, therefore, has reviewed this request based on pertinent materials in two documents adopted by the Historic Landmark Commission and the City Council: the *Design Guidelines for Residential Historic Districts in Salt Lake City*, and the *Policy Document – Salt Lake City Historic Landmark Commission*.

Design Guidelines for Residential Historic Districts in Salt Lake City

Chapter 1.0 of the Design Guidelines addresses design standards for site features and specifically addresses fences. The following guidelines are of particular note in light of the subject fence:

- 1.1 Preserve historically significant site features.**
These may include historic retaining walls, irrigation ditches, gardens, driveways and walkways. Fences and street trees are also examples of original site features that should be preserved. Sidewalks, parkways, planting strips, street trees and street lighting are examples of historic streetscape elements that should be considered in all civic projects.
- 1.2 Preserve original fences.**
Replace only those portions that are deteriorated beyond repair.
- 1.3 For a replacement fence, use materials that appear similar to the original.**
A painted wood picket fence is an appropriate replacement in most locations. A simple metal fence, similar to traditional ‘wrought iron’ or wire, also may be considered. In all cases, the fence components should be similar in scale to those seen historically in the neighborhood.
- 1.4 A replacement fence should have a ‘transparent’ quality, allowing views into the yard from the street.**
Using a solid fence, with no spacing between the boards, is inappropriate in a front yard. Chain link is not allowed as a fence material where it would be visible from the street. Vinyl fencing is reviewed on a case by case basis. In some instances, it is allowed if it is not seen from the street, if the style of the fence is compatible with the house and if the vinyl fence is not replacing an historic fence or landscape feature.

Chapter 12.0 of the Design Guidelines addresses general design standards and specifically addresses fences. The following guideline is of note in light of the subject fence:

- 12.9 The use of traditional site structures is encouraged.**
Constructing retaining walls and fences that are similar in scale, texture and finish to those used historically are appropriate.

Analysis: The subject fence appears to be a high quality, well constructed fence, and may be an appropriate solution in other areas of Salt Lake City that are not designated historic districts. In light of the above referenced design standards that have been adopted by the city, the subject fence does not appear to meet those design standards. First, Guideline 1.2 indicates that only those portions of a fence that are deteriorated beyond repair should be replaced. While it is difficult to determine the condition of the wood fence that was removed to install the new unfinished steel fence, it may have been repairable.

The remainder of the wood fence that exists on the property, while it appears to be older, does not appear to be in a condition that is beyond repair.

Second, Guideline 1.3 notes that replacement fences should be similar to the original material. A new unfinished steel fence is not similar to the wood fence that was replaced or is proposed to be replaced. In addition, this guideline states that all replacement fences should be similar to scale to those seen historically in the neighborhood. Planning staff does not see this unfinished steel woven fence as the type of fence that was typically seen in the historic neighborhood.

Lastly, Guideline 1.4 states that all fences should have a transparent quality allowing views from the street. The subject property is a corner lot and the subject fence is designed to provide some privacy for the rear yard area. Staff would agree that some privacy is needed, but would contend that it could be achieved in other ways than the proposed solution. The previous wood fence could have been repaired or a more transparent fence could have been built with planting materials behind it to help screen the rear yard area.

Findings: The subject fence does not meet Guidelines 1.2, 1.3, 1.4, or 12.9 as noted in the adopted *Design Guidelines for Residential Historic Districts in Salt Lake City*.

Policy Document – Salt Lake City Historic Landmark Commission

This policy document was originally adopted by the Historic Landmark Committee, now the Historic Landmark Commission on February 1, 1984. This document specifically addresses fences in Section 14.0 and was updated and revised on February 3, 1993. The section reads as follows:

The relationship between an historic building and landscape features help to define the historic character of the site. Among the various visual aspects relating to the setting of an historic property are such site features as fences, including their design and materials. Appropriate fencing materials in historic districts or around historic properties include the following: wood, wrought iron, and masonry. As a rule, chain link fences are prohibited in historic districts or around landmark sites.

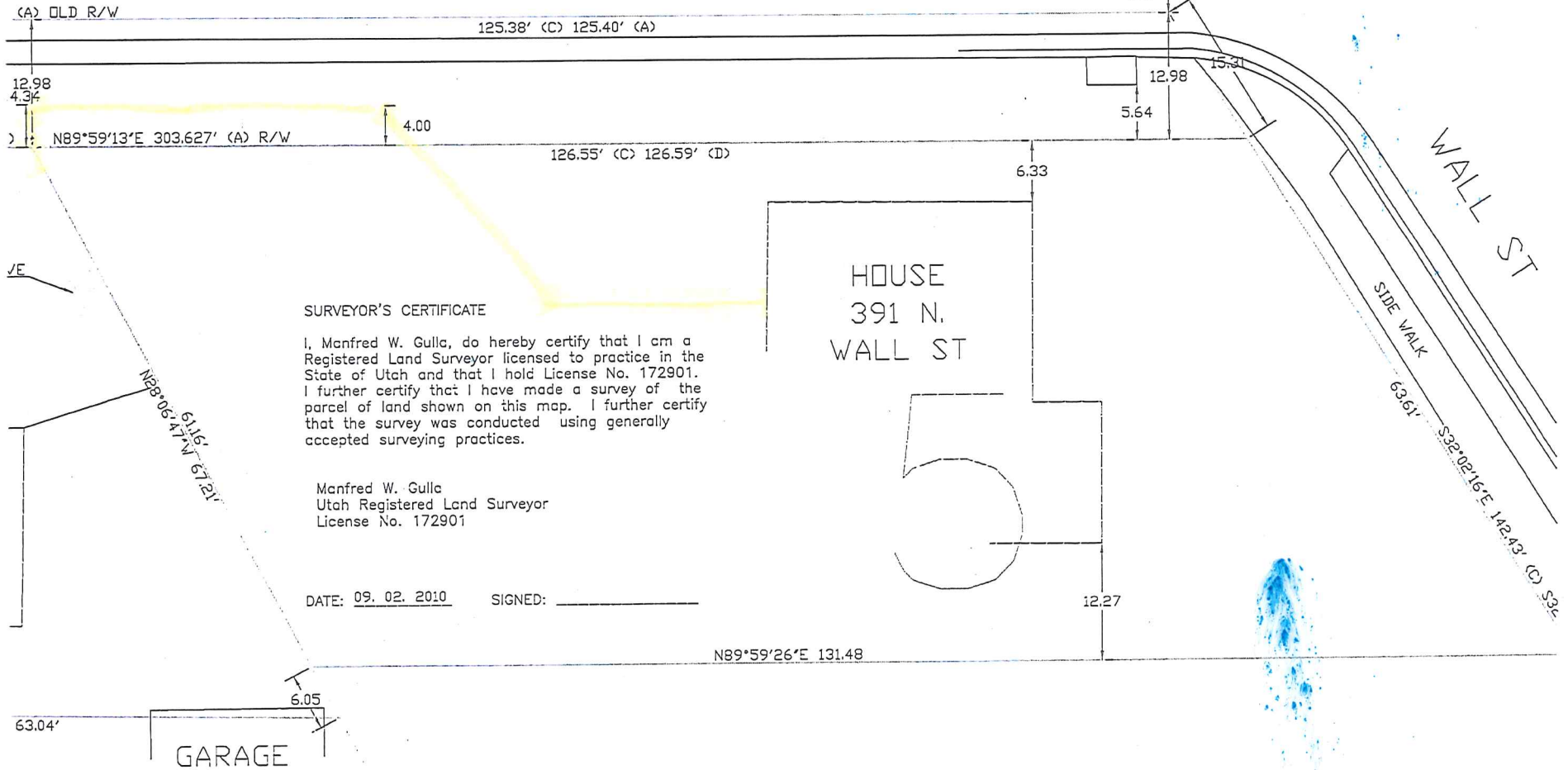
Analysis: In terms of this policy statement, as noted previously, the subject fence is not constructed of an appropriate listed material (wood, wrought iron, masonry), nor is the design typical of historic fences in the neighborhood.

Findings: The subject fence does not meet the policies related to fencing as outlined in the *Salt Lake City Historic Landmark Commission Policy Document*.

ATTACHMENT A
Site Plan and Elevations

400 NORTH

59°13'E 303.627 (A) MON-MON

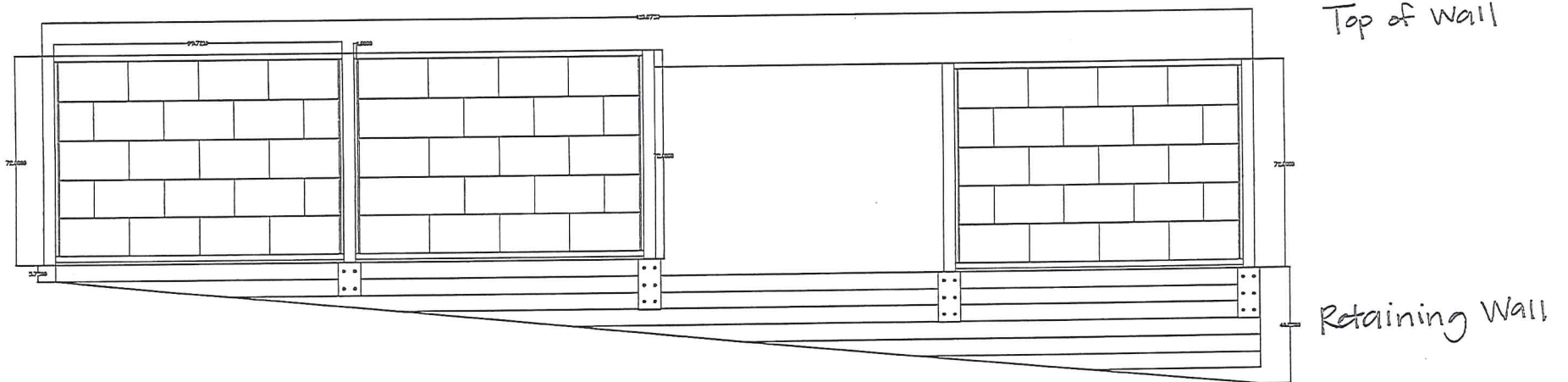


SURVEYOR'S CERTIFICATE

I, Manfred W. Gulla, do hereby certify that I am a Registered Land Surveyor licensed to practice in the State of Utah and that I hold License No. 172901. I further certify that I have made a survey of the parcel of land shown on this map. I further certify that the survey was conducted using generally accepted surveying practices.

Manfred W. Gulla
Utah Registered Land Surveyor
License No. 172901

DATE: 09. 02. 2010 SIGNED: _____



ATTACHMENT B
Photographs









ATTACHMENT C
Additional Applicant Information

SLC Planning Division
451 S State Room 215
P.O. Box 145471
Salt Lake City, UT .84114-5480
801-535-7700

Re: 391 North Wall Street

I'm submitting this HLS Minor Alterations permit for a fence replacement at 391 North Wall Street.

The fence replaces a broken worn out fence (as seen in the provided images) that parallels 400 North and continues up the drive way.

The material is unfinished steel and the design is based on the traditional horizontal woven wood pattern.

Shane Larson
Home owner
801-953-9045

ATTACHMENT D
Historic Documentation



363 N Wall Street
A



367 N Wall Street
A



371 N Wall Street
A



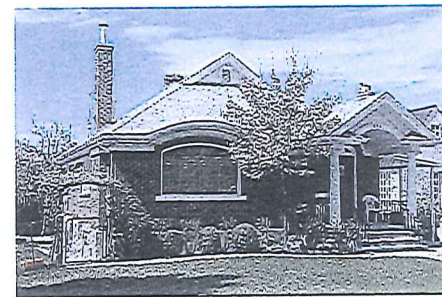
375 N Wall Street
B



382 N Wall Street
A



383 N Wall Street
B



385 N Wall Street
B



390 N Wall Street
B



391 N Wall Street
B



404 N Wall Street
B



408-410 N Wall Street
B



414 N Wall Street
B

Architectural Survey Data for SALT LAKE CITY
Utah State Historic Preservation Office

Address/ Property Name	Eval/ Ht	OutB N/C	Yr.(s) Built	Materials	Styles	Plan (Type)/ Orig. Use	Survey Year RLS/ILS/Gen	Comments/ NR Status
363 N WALL STREET BRICE, GEORGE T.	A	0/0 1.5	1903	REGULAR BRICK	DUTCH COLONIAL REV.	RECTANGULAR BLOCK WOOD:OTHER/UNDEF. SINGLE DWELLING	06 05	1 OF 5 BUILT ON THIS CORNER N05
367 N WALL STREET	A	1/0 1.5	1903	REGULAR BRICK WOOD:OTHER/UNDEF.	DUTCH COLONIAL REV.	RECTANGULAR BLOCK SINGLE DWELLING	06 80	1 OF 5 BUILT ON THIS CORNER N05
371 N WALL STREET BRICE, GEORGE T., HOUSE	A	0/0 1.5	1903	BRICK:OTHER/UNDEF. SHINGLE SIDING	DUTCH COLONIAL REV.	RECTANGULAR BLOCK SINGLE DWELLING	06 05	1 OF 5 BUILT ON THIS CORNER N05
375 N WALL STREET	B	1/0 1	c. 1920 c. 1960	STUCCO/PLASTER	BUNGALOW	BUNGALOW SINGLE DWELLING	06 05	c. 1960 REMODEL? N05
382 N WALL STREET OSBORNE J.P. WIDTSONE HOUSE	B	1/0 1.5	1911	SHINGLE SIDING REGULAR BRICK	BUNGALOW 20TH C.: OTHER	SIDE PASSAGE/ENTRY SINGLE DWELLING	06	N05
383 N WALL STREET MCGREGOR, HERMAN C., HOUSE	A	1/0 1	c. 1911	VENEER: OTHER BRICK:OTHER/UNDEF.	BUNGALOW	FOURSQUARE (BOX) SINGLE DWELLING	06 05	N05
385 N WALL STREET WOOD, RAY G., HOUSE	A	0/1 1.5	1924	STRIATED BRICK	CLIPPED-GABLE COTTAGE COLONIAL REVIVAL	PERIOD COTTAGE SINGLE DWELLING	06 05	N05
390 N WALL STREET	B	0/0 1	1908	REGULAR BRICK STUCCO/PLASTER	ARTS & CRAFTS	BUNGALOW SINGLE DWELLING	06 80 N05	
391 N WALL STREET ANDERSON, ALTON J., HOUSE	B	0/1 1.5	1923	REGULAR BRICK STUCCO/PLASTER	ENGLISH COTTAGE	PERIOD COTTAGE SINGLE DWELLING	06 05	N05
404 N WALL STREET ASHTON, GEORGE, HOUSE	B	0/0 1	1920	REGULAR BRICK STONE:OTHER/UNDEF.	BUNGALOW PRAIRIE SCHOOL	BUNGALOW SINGLE DWELLING	06 05	N05
408 N WALL STREET ASHTON, GEORGE W., HOUSE	B	0/0 1	1915	REGULAR BRICK	BUNGALOW PRAIRIE SCHOOL	BUNGALOW SINGLE DWELLING	06 05	NOW 408-410 N N05
414 N WALL STREET DUNN, EDWARD D, HOUSE	B	0/0 1.5	c. 1912 c. 1934	WOOD:OTHER/UNDEF. SHINGLE SIDING	BUNGALOW	BUNGALOW SINGLE DWELLING	06 05	1938 REMODEL INTO 3 APTS N05

?=approximate address

Evaluation Codes: A=eligible/architecturally significant B=eligible C=ineligible/alterd D=ineligible/out of period U=undetermined/lack of info X=demolished